

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

TRANSPLACE TEXAS, L.P.

v.

KEVIN HIGGINS, MAE YAO, and
DE WELL LOGISTICS LLC

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Case No. 4:10-CV-428
Judge Schneider/Judge Mazzant

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On January 19, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendants' Motion to Dismiss Plaintiff's First Amended Complaint for Lack of Personal Jurisdiction or in the Alternative to Transfer Venue (Dkt. #9) should be granted in part and denied in part.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendants' Motion to Dismiss Plaintiff's First Amended Complaint for Lack of Personal Jurisdiction or in the Alternative to Transfer Venue (Dkt. #9) is

GRANTED in part and **DENIED** in part. All claims against Defendant Mae Yao are dismissed without prejudice.

It is SO ORDERED.

SIGNED this 11th day of February, 2011.

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE